

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5855 OF 2005

Mr.Mahesh Narshing Thakur ..Petitioner.

Vs.

The State of Maharashtra & Ors. ..Respondents.

...

Mr.A.R.Pitale for the Petitioner.

Mr.R.D.Rane, Government Pleader for Respondent
No.1.

Ms.Deepa Chavan i/b M/s.Little & Co. for
Respondent Nos.2 and 3.

...

CORAM : F.I.REBELLO &

DR.D.Y.CHANDRACHUD, JJ.

25th October, 2005.

P.C. :

1. Rule. Heard forthwith.

2. From the record it appears that Respondent
No.4 had given a notice to the Petitioner to appear

for the written test to be conducted for filling in vacancies. The Petitioner wrote to Respondent No.4 stating that he would be appearing for the examination for the reasons set out in the letter. Respondent No.4 intimated to the Petitioner that if he is appearing for the test only with the condition mentioned in the letter, he would not be allowed to appear for the test. It appears that the Petitioner did not appear for the test.

3. After hearing counsel for the parties and considering that nobody from the Petitioner's family has been appointed on the basis of project affected person, ends of justice will be met if the Petition is disposed of by issuing the following directions :

If there be future vacancies and Respondent No.4 proposes to fill in the vacancies, Respondent No.4 to issue notice to the Petitioner to appear for the written test to be conducted for the purpose of filling in the post. If the Petitioner passes the written test, Respondent No.4 to consider the case of the Petitioner according to

their rules.

Rule made absolute accordingly. There shall be no order as to costs.

(F.I. REBELLO, J.)

(DR.D.Y.CHANDRACHUD, J.)